

ORAL ARGUMENT NOT YET SCHEDULED  
**No. 25-1026**

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IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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ALLIANCE FOR AUTOMOTIVE INNOVATION,  
Petitioner,

v.

DEPARTMENT OF TRANSPORTATION,  
Respondent.

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On Petition For Review of Final Rule of the  
United States Department of Transportation

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**PETITIONER’S STATEMENT OF ISSUES TO BE RAISED**

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Pursuant to this Court’s January 17, 2025, Order, Petitioner Alliance for Automotive Innovation hereby submits this Statement of Issues to be Raised. Petitioner challenges the final rule of the United States Department of Transportation entitled *Federal Motor Vehicle Safety Standards; Automatic Emergency Braking Systems for Light Vehicles*, 89 Fed. Reg. 39,686 (May 9, 2024), as amended on reconsideration by *Federal Motor Vehicle Safety Standards; Automatic Emergency Braking Systems for*

*Light Vehicles*, 89 Fed. Reg. 93,199 (Nov. 26, 2024) (the Rule). Specifically, the issues to be raised are:

1. Whether the Rule violates the National Traffic and Motor Vehicle Safety Act of 1966, 49 U.S.C. § 30101 *et seq.*
2. Whether the Rule is arbitrary, capricious, or otherwise not in accordance with law. 5 U.S.C. § 706(2)(A); *see* 49 U.S.C. § 30161(a).

Respectfully submitted,

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Dated: February 18, 2025

**CERTIFICATE OF SERVICE**

I hereby certify that on February 18, 2025, the forgoing was filed with the Clerk of the United States Court of Appeals for the D.C. Circuit via the Court's CM/ECF system, which will send notice of the filing to all counsel who are registered CM/ECF users.

/s/ Nicole A. Saharsky  
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